

Trading privacy for security without a thought

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APPENDIX C

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**Trading privacy for security without a thought**

By Ellen Goodman

From time to time, my husband and I ask each other a humbling question about the human condition: How would you like to see your 10 worst moments on videotape?

This is the fate that befell Madelyne Toogood last month when she was captured on a security camera in a department store parking lot. The mother was taped slapping around her 4-year-old daughter as they got into their SUV.

Toogood got to see this moment -- which we sincerely hope was one of her 10 worst -- again and again and again. The police saw it. The entire nation saw it. Today, the Indiana court where she will be tried for a felony charge of battery will also see it.

Toogood's tape has become the Rodney King tape of child abuse. A debate ensued about parenting and "spanking," about the line between discipline and abuse. The mother's only defense after seeing her self-portrait was to swear, "I'm not a monster." That too was debated.

In fact, the public air was full of heated opinions and judgments about everything . . . except the videotape itself. No one seemed too concerned about the image or its trail from Kohl's to CNN.

We have gotten so used to the idea of a security camera peering at us out of every ATM and parking lot, every airport and school, every department store and public square, that we no longer question it. When the booty of a department store's private eye is open to the public eye, we don't flinch. We just watch.

Indeed, the only story alarming enough to raise privacy hackles these days came from Washington state, where two men were arrested for taking pictures up women's skirts. But these men were acquitted of voyeurism by the state Supreme Court because the pictures were taken in public places where, the justices ruled, people don't have a "reasonable expectation of privacy."

It seems that the old expectation of privacy in public has become unreasonable. There are now video cameras in the remote part of a national forest for the stated purpose of catching people growing marijuana. There are at least 2,397 surveillance cameras on the streets of Manhattan.

We've become a nation of surveillance with remarkably little discussion. Few of us are asking the questions offered by David Sobel of the Electronic Privacy Information Center: "What becomes of any tapes created by such systems, who has access to them and how might they be used?" Nor are we asking what it means for a nanny or a student or a shopper to be on permanent candid camera.

It sounds old-fashioned to fuss about being watched. The philosopher Jeremy Bentham once described the perfect prison as a "panopticon" where prisoners were under complete surveillance and yet could not see the watcher. But that was in the 18th century.

In "1984," the inevitable textbook of Big Brotherhood, George Orwell wrote: "There was of course no way of knowing whether you were being watched at any given moment. . . . You had to live -- did live,

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from habit that became instinct -- in the assumption that every sound you made was overheard, and, except in darkness, every movement scrutinized." But he wrote that in 1949.

Today people audition to go on "Big Brother 3." A woman gives birth on the Web. Since Jennifer Ringley "jennicammed" her way to fame, many others have chosen to live in the public eye, 24/7.

If the threshold of privacy has been lowered, the threshold of anxiety has been heightened. So we accept scrutiny as the price of security.

In this process, we don't always recognize when the camera has become the voyeur. Ads for Web cams pop up over the Internet featuring shadowy images of couples in bed. William Staples, sociologist and author of "Everyday Surveillance," notes that "the sell is security but the hook is voyeurism." Meanwhile, one security camera picks up Madelyne Toogood in a "moment." But another may tape a couple necking in the car or a customer tripping over her feet. Next thing you know your image is out there on the Internet, says Staples.

Frankly, I am comforted by a security camera in a parking garage late at night. And I know that videotapes are useful for police investigations . . . after the crime. But if security is overrated, intrusion may be underrated.

The Toogood reality show ended with a mother in court and a child in foster care and a second debate about whether this did more harm than good. Surely we should spend some of the same energy debating the collective life of the videocammed American? How many little brothers add up to a big one?

Look up there. Is that a security guard watching? Or is it a Peeping Tom?

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